

## Message Text

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ACTION EB-08

INFO OCT-01 EA-12 IO-14 ISO-00 STRE-00 AGRE-00 CEA-01  
CIAE-00 COME-00 DODE-00 FRB-01 H-02 INR-10 INT-05  
L-03 LAB-04 NSAE-00 NSC-05 PA-02 CTME-00 AID-05  
SS-15 STR-07 ITC-01 TRSE-00 ICA-20 SP-02 SOE-02  
OMB-01 DOE-15 JUSE-00 FCC-02 /138 W  
-----008413 060427Z /63

R 060350Z APR 78  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 6832  
USMISSION GENEVA

UNCLAS SECTION 01 OF 02 TOKYO 05757

ALSO FOR MTN  
PASS STR

E.O. 11652: NA  
TAGS: ETRD, JA, US  
SUBJECT: TEXT OF ELECTRONICS INDUSTRY ASSOCIATION OF  
JAPAN (EIAJ) REPRESENTATION CONCERNING U.S. TREASURY  
ANNOUNCEMENT ON ANTI-DUMPING DUTIES

REF: (A) STATE 83574 (B) TOKYO 5369 (C) TOKYO 5629  
SUMMARY. ON APRIL 3, 1978, ELECTRONICS INDUSTRY  
ASSOCIATION OF JAPAN (EIAJ) CHAIRMAN, HIROKICHI YOSHIYAMA,  
MADE REPRESENTATION ON BEHALF OF EIAJ TO AMBASSADOR  
CONCERNING U.S. TREASURY ANNOUNCEMENT ON COLLECTION OF  
COLOR TV DUMPING DUTIES (MEETING REPORTED REFTEL C).  
TEXT OF HIS REMARKS FOLLOWS. LETTER FOCUSES ON "NOVEL  
CALCULATION FORMULA" USED TO DETERMINE DUTIES AND  
"SUDDEN ANNOUNCEMENT" BY TREASURY DEPARTMENT THAT  
COLLECTION OF DUTIES WOULD COMMENCE. LETTER CITES  
BELIEF ON JAPANESE SIDE THAT ACTION "VIOLATES IN PART"  
U.S. ANTI-DUMPING ACT AND GATT DUMPING CODE. LETTER  
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REQUESTS THAT U.S. WITHDRAW ACTION. END SUMMARY.

1. I THANK YOU VERY MUCH FOR SPARING YOUR PRECIOUS  
TIME FOR US TODAY. WE ARE HERE AS REPRESENTATIVES OF  
OUR ELECTRONIC INDUSTRIES TO SEEK ASSISTANCE FROM YOUR  
EXCELLENCY AND YOUR ASSOCIATES IN CONNECTION WITH THE  
DUMPING DUTIES TO BE LEVIED ON JAPANESE TELEVISION

RECEIVERS.

2. AS YOUR EXCELLENCY MAY HAVE ALREADY KNOWN, THE TREASURY DEPARTMENT OF THE UNITED STATES ANNOUNCED ON FRIDAY, MARCH 31, 1978, ASSESSMENT OF DUMPING DUTIES BASED ON QUITE A NOVEL CALCULATION FORMULA. IT IS VERY HARD FOR THE JAPANESE INDUSTRY CONCERNED TO UNDERSTAND THE NEW CALCULATION FORMULA AND GROUNDS FROM WHICH THE FORMULA WAS DERIVED. THEREFORE, WE HEREBY ASK FOR THE SUPPORT OF YOUR EXCELLENCY IN THIS RIGARD.

3. THE ANNOUNCEMENT CAME ALL OF A SUDDEN. WE FEEL IT VERY REGRETTABLE THAT THE TREASURY DEPARTMENT DID NOT HAVE ANY INTENTION TO HEAR FROM THE JAPANESE SIDE, NOR HAD IT TIME TO DO SO, EVEN THOUGH WE GUESS THERE WERE VARIOUS REASONS NOT TO DO SO ON THE SIDE OF THE UNITED STATES. WITH REGARD TO THE ASSESSMENT OF DUMPING DUTIES PRIOR TO 1972, BOTH GOVERNMENTS HAD CLOSE CONSULTATION AND DECIDED THE FORMULA. REGARDING SUCH A FORMULA AS REASONABLE, THE JAPANESE INDUSTRY CONCERNED HAS BEEN SUBMITTING INFORMATION IN RESPONSE TO THE REQUEST FROM THE TREASURY DEPARTMENT. WE, THEREFORE, ARE QUITE AT A LOSS TO BE GIVEN A NEW FORMULA THAT IS COMPLETELY DIFFERENT FROM A PREVIOUS ONE MUTUALLY AGREED UPON AND IS NOT PROPER FOR THE CALCULATION OF FOREIGN MARKET VALUE. THE JAPANESE INDUSTRY HAS BEEN TRYING TO CONTACT THE  
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TREASURY DEPARTMENT THROUGH AMERICAN ATTORNEYS SINCE ABOUT LAST SEPTEMBER, BUT THE TREASURY HAS BEEN CONSTANTLY REFRAINING FROM MAKING ANY COMMENTS.

4. THE CALCULATION OF DUMPING DUTIES REGARDING TELEVISION RECEIVERS IMPORTED FROM JAPAN HAS NOT BEEN PROCEEDED AT ALL BY THE TREASURY FOR THE LAST FIVE YEARS. UNDER SUCH CIRCUMSTANCES, IT IS VERY HARD FOR US TO UNDERSTAND WHY THE TREASURY DEPARTMENT TOOK SUCH AN ACTION ALL OF A SUDDEN WE ARE, MOREOVER, UNABLE TO AGREE THAT THE NEW FORMULA WILL BE APPLIED RETROACTIVELY AND THAT IT WILL BE UNIFORMLY APPLIED TO EACH COMPANY DESPITE THAT SITUATIONS IN WHICH EACH COMPANY IS BEING PLACED ARE DIFFERENT FROM ONE ANOTHER. IT IS BELIEVED THAT THESE POINTS SHOULD VIOLATE IN PART THE ANTI-DUMPING ACT OF THE UNITED STATES AS WELL DUMPING CODE OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT).

5. IT IS, THEREFORE, STRONGLY REQUESTED THAT SUCH AN ACTION BE WITHDRAWN AS SOON AS POSSIBLE. WE DO HOPE THAT THE GOVERNMENT OF THE UNITED STATES WILL GIVE FULL CONSIDERATION TO THESE POINTS FOR THE CREDIT BEING GIVEN AS THE LEADER OF THE WORLD ECONOMY.

6. IF SUCH PROCEDURES BE IMPLEMENTED, NOT ONLY JAPANESE COMPANIES WILL RECEIVE EVERY SERIOUS DAMAGES, BUT ALSO AMERICAN IMPORTERS WILL BE CONFRONTED WITH THE PROBLEM OF BANKRUPTCY. WE, JAPANESE INDUSTRY CONCERNED, HAVE BEEN OBSERVING IN GOOD FAITH THE AGREEMENT ENTERED INTO BETWEEN THE GOVERNMENTS FOR THE UNITED STATES AND JAPAN TO LIMIT THE VOLUME OF TELEVISION EXPORTATION. WE WOULD LIKE THE GOVERNMENT OF THE UNITED STATES TO GIVE PROPER EVALUATION TO OUR EFFORTS. IT IS SCHEDULED THAT THE SUMMIT TALKS BETWEEN THE TWO GOVERNMENTS WILL BE HELD IN THE NEAR FUTURE. ON THE OTHER HAND, JAPAN HAS BEEN MAKING UTMOST EFFORTS TO REDRESS HER TRADE IMBALANCE, AS SEEN

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IN THE CASE THAT THE IKEDA MISSION VISITED THE UNITED STATES TO EXPLORE EVERY POSSIBILITY FOR EXPANSION OF IMPORTS INTO JAPAN. IN VIEW OF SUCH CIRCUMSTANCES, WE WOULD LIKE TO ASK THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO GIVE FAIR CONSIDERATION TO OUR REQUESTS AS MENTIONED ABOVE, WHICH WE BELIEVE WILL CONTRIBUTE TO MAINTAIN GOOD ECONOMIC RELATIONSHIP BETWEEN THE TWO COUNTRIES.

7. MAY WE AVAIL OURSELVES OF THIS OPPORTUNITY TO SECURE KIND SUPPORT AND UNDERSTANDING OF YOUR EXCELLENCY AND TO SINCERELY ASK YOU TO CONVEY OUR DEEP CONCERNS TO THE GOVERNMENT OF YOUR COUNTRY.

8. RESPECTFULLY YOURS, (SIGBED) HIROKICHI YOSHIYAMA,

CHAIRMAN. END TEXT. MANSFIELD

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## Message Attributes

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